

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

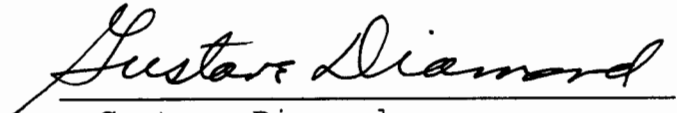
CURTIS BRANDON,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 00-1656
)	
PHILIP JOHNSON, Superintendent,)	
SCI-Pittsburgh; MICHAEL FISHER,)	
Attorney General of Pennsylvania ¹ ,)	
and STEPHEN A. ZAPPALA, JR.,)	
District Attorney of Allegheny)	
County)	
Respondents.)	

O R D E R

AND NOW, this 1~~st~~ day of February, 2006, the court having received petitioner's motion for reconsideration of this court's order dated January 19, 2006, denying his motion for relief pursuant to Rule 60(b) of the Federal Rules of Civil Procedure (Document No. 67), as well as petitioner's motion for production of documents (Document No. 68), IT IS ORDERED that petitioner's motions be, and the same hereby are, **denied**, for the reasons explained in this court's prior order, specifically, that this court has no jurisdiction to consider petitioner's Rule 60(b) motion, which collaterally attacks his underlying state conviction and must be treated as a successive habeas motion pursuant to 28 U.S.C. §2254, as defendant has not received permission from the

¹ Michael Fisher has been succeeded as Attorney General of Pennsylvania by Tom Corbett.

Third Circuit Court of Appeals to file a successive §2254 petition.

A handwritten signature in cursive script, reading "Gustave Diamond", written in black ink. The signature is positioned above a horizontal line.

Gustave Diamond
United States District Judge

cc: Curtis Brandon

Stephen A. Zappala, Jr.
Paul R. Scholle
Office of the District Attorney
401 Allegheny County Courthouse
Pittsburgh, PA 15219